

Message Text

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PAGE 01 STATE 064595

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ORIGIN PPT-01

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DRAFTED BY PPT/U:ARMACKAY:HRA

APPROVED BY SCA:GLEBEDEV

NEA/IRN:RBEALE (SUBSTANCE)

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FM SECSTATE WASHDC

TO AMEMBASSY TEHRAN IMMEDIATE

C O N F I D E N T I A L STATE 064595

E.O. 11652: GDS

TAGS: CPAS, IR

SUBJECT:IRANIAN OATH

1. DETERMINATION WHETHER OATH MAY BE EXPATRIATING WILL
DEPEND IN FIRST INSTANCE ON WHETHER OATH IS IN FACT AN OATH
OF ALLEGIANCE. THEREFORE, EMBASSY REQUESTED TO SECURE EXACT
LANGUAGE AS SOON AS POSSIBLE.

2. IN INTERIM, FOLLOWING VERBATIM LANGUAGE SHOULD BE USED
IN REPLYING TO ALL INQUIRIES FROM DUAL IRANIAN-AMERICANS:

3. QUOTE: TAKING OATH OF ALLEGIANCE TO A FOREIGN SOVEREIGN
IS HIGHLY PERSUASIVE EVIDENCE OF AN INTENT TO RELINQUISH
U.S. CITIZENSHIP AND NORMALLY WILL RESULT IN LOSS OF U.S.
CITIZENSHIP PROVIDED THE OATH IS IN FACT VOLUNTARY AND
MEANINGFUL. A FINAL DETERMINATION OF THE INTENT TO
RELINQUISH U.S. CITIZENSHIP CAN BE MADE ONLY AFTER THE OATH
HAS ACTUALLY BEEN TAKEN. AT THAT TIME A DETERMINATION WILL
BE MADE ON THE BASIS OF ALL OF THE EVIDENCE, BOTH
SUBJECTIVE STATEMENT AND OBJECTIVE ACTS, WHETHER THE TAKING
OF THE OATH WAS VOLUNTARY AND TAKEN WITH THE INTENT TO
RELINQUISH U.S. CITIZENSHIP.

IF U.S. CITIZENS DESIRE TO PROTECT THEIR U.S. CITIZENSHIP

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PAGE 02 STATE 064595

THEY SHOULD REFRAIN FROM PERFORMING ACTIONS MADE

EXPATRIATING BY UNITED STATES LAW SUCH AS TAKING AN OATH OF

ALLEGIANCE. IF DUAL IRANIAN-US CITIZENS ARE UNABLE TO REFRAIN FROM TAKING THE OATH THEY SHOULD VISIT THE EMBASSY BEFORE TAKING THE OATH AND REGISTER AS U.S. CITIZENS. IN CONNECTION WITH THAT REGISTRATION THEY SHOULD COMPLETE A WRITTEN DETAILED STATEMENT UNDER OATH BEFORE THE APPROPRIATE CONSULAR OFFICER SETTING FORTH IN FULL THE CIRCUMSTANCES RELATING TO THE PROPOSED OATH -- TAKING IN ORDER TO PROTECT ANY EXPRESSED DESIRE TO RETAIN U.S. CITIZENSHIP. UNQUOTE.

4. FOR EMBASSY'S INFORMATION CASES OF EXPATRIATION CAN BE DECIDED ONLY ON A CASE TO CASE BASIS. THE REGISTRATION APPLICATION AND THE ORIGINAL AFFIDAVIT SHOULD BE FORWARDED TO THE DEPARTMENT (ATTENTION: PPT/FM) FOR ITS INFORMATION AND RECORD PURPOSES. AFTER THE OATH HAS BEEN TAKEN THE CASE SHOULD BE FULLY DEVELOPED UNDER THE APPROPRIATE PROVISIONS OF 8 FAM AND CA-2662 OF MARCH 26, 1973 AND REFERRED TO THE DEPARTMENT (ATTENTION: PPT/FM) FOR DECISION. INGERSOLL

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